

## ANNOUNCEMENT OF FEDERAL FUNDING OPPORTUNITY APPENDICES

**Federal Agency Name:** Minority Business Development Agency (MBDA/Agency)

**Funding Opportunity Title:** MBDA Business Consulting Project

**Announcement Type:** Initial Announcement

**FFO Number:** MBDA-OBD- 2016-2004599

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Appendices to the FFO and Program Requirement Documents p.34

### APPENDICES

The appendices and MBDA Business Consulting Project documents listed below are incorporated by reference into this announcement. It is incumbent on all applicants to access and familiarize themselves with the information contained therein.

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**APPENDIX A**  
**Funding Availability**

<b>MBDA Business Project Location</b>	<b>Federal Funding Per Year (Years 1-5)</b>	<b>Competition ID#</b>
San Francisco/Oakland, CA	\$337,875	2554992

The application should propose base of operations primarily targeted in the specific location area as indicated above. Alternatively, the applicant may propose a base of operations in an adjacent area to the noted location area above.

**SPECIAL MENTION:**

The Project is a subset of the MBDA Business Project program and is established to provide technical assistance and business development services without the use of a traditional brick and mortar office to deliver services. However, services will be rendered in a business environment that is conducive to delivering business development consulting services.

## **APPENDIX B**

### **Performance Goals**

The following tables provide the minimum performance requirements for each MBDA Business Project by location. Applicants should propose specific performance goals, for each year and in each category, based on the requirements listed below. Proposed goals that differ, either higher or lower, from those listed below require justification.

#### **Instructions**

In preparing applications in response to this Announcement, please note the following:

1. The “**Total Value of Awarded Transactions**” is the sum of the “Dollar Value of Awarded Contracts and Procurements” and the “Dollar Value of Awarded Financial Transactions.” Applicants must propose specific performance goals for each of these two sub-categories within the following parameters:
  - (a) The “Dollar Value of Awarded Contracts and Procurements” must be no more than 70% and no less than 30% of the “Total Value of Awarded Transactions;” and
  - (b) The “Dollar Value of Awarded Financial Transactions” must be no less than 30% and no more than 70% of the “Total Value of Awarded Transactions.” The combined total of these two sub-categories must equal 100% of the “Total Value of Awarded Transactions.”
2. The “**Total Number of Awarded Transactions**” is the sum of the “Number of Awarded Contracts and Procurements” and the “Number of Awarded Financial Transactions.” Applicants must propose specific performance goals for each of these two sub-categories within the following parameters:
  - (a) The “Number of Awarded Contracts and Procurements” must be no more than 65% and no less than 35% of the “Total Number of Awarded Transactions;” and
  - (b) The “Number of Awarded Financial Transactions” must be no less than 35% and no more than 65% of the “Total Number of Awarded Transactions.” The combined total of these two sub-categories must equal 100% of the “Total Number of Awarded Transactions.”
3. The “**Total Number of Clients Served**” is the sum of the “New Clients” and “Existing Clients” Applicants must propose specific breakout of goals for each of these two sub-categories within the following parameters:
  - (a) The “Number of New Clients Served” must be no more than 80% and no less than 20% of the “Total Number of Clients Served;” and
  - (b) The “Number of Existing Clients Served” must be no less than 20% and no more than 80% of the “Total Number of Clients Served.” The combined total of these two sub-categories must equal 100% of the “Total Number of Clients Served.” Note, applicant may round to nearest whole number when determining goal.

**MBDA recognizes that the MBDA Business Consulting Project will need time to initiate operations upon receipt of an award. As such, applicants may reduce its proposed performance goals by 33% for year one only.**

### **MBDA Business Project Performance Measures and Goals**

*The tables below set minimum performance measures and goals.*

*Note: Applicants are encouraged to propose beyond minimal values listed in the table below.*

<b>Performance Measures and Goals</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>
Number of Jobs Created	188	188	188	188	188
Number of Jobs Retained	100	100	100	100	100
Total Value of Awarded Transactions	Listed by Location*	Listed by Location*	Listed by Location*	Listed by Location*	Listed by Location*
Total Number of Awarded Transactions	50	60	62	64	66
Dollar value of Awarded Contracts and Procurements	To be Proposed**	To be Proposed**	To be Proposed**	To be Proposed**	To be Proposed**
Number of Awarded Contracts and Procurements	To be Proposed**	To be Proposed**	To be Proposed**	To be Proposed**	To be Proposed**
Dollar value of Awarded Financial Transactions	To be Proposed**	To be Proposed**	To be Proposed**	To be Proposed**	To be Proposed**
Number of Awarded Transactions	To be Proposed**	To be Proposed**	To be Proposed**	To be Proposed**	To be Proposed**
Number of Export Transactions Facilitated	3	5	6	6	6
Number of Strategic Transactions Facilitated	7	10	11	12	14
Total Number of Clients Served	70	75	77	80	82
Number of Existing Clients Served***	N/A	To be Proposed**	To be Proposed**	To be Proposed**	To be Proposed**
Number of New Clients Served	70	To be Proposed**	To be Proposed**	To be Proposed**	To be Proposed**
Number of Advocacy Initiatives Facilitated	10	15	15	20	20

\*See Total Dollar Value of Awarded Transactions Goal

\*\*See Performance Goals - Instructions

\*\*\*The Project will only serve new clients in year 1.

**Total Dollar Value of Awarded Transactions Goal**

*Note: Applicants are encouraged to propose beyond minimal values listed in the table below.*

<b>MBDA Business Project Location</b>	<b>Awarded Transactions Year 1</b>	<b>Awarded Transactions Year 2</b>	<b>Awarded Transactions Year 3</b>	<b>Awarded Transactions Year 4</b>	<b>Awarded Transactions Year 5</b>
San Francisco/Oakland	\$109,371,009	\$112,652,139	\$116,031,703	\$119,512,655	\$123,098,034

**APPENDIX C**  
**Performance Measures and Points**

This section defines the evaluation criteria and weighted value that MBDA will use to measure Project performance based on the minimum programmatic goals set by MBDA and the proposed goals set by the applicant.

In accordance with 2 CFR Part 200, the award recipient (Project operator) will be responsible for the effective management of all functions and activities supported by the financial assistance award. Additionally, the Project operator is required to report to MBDA on the attainment of program performance goals twice during each program year. A Semi-Annual Progress Report is due forty-five (45) days after the end of the first six months (first semi-annual period) of each year. The Project operator shall also provide a comprehensive Year-End Progress Report on the accomplishments and overall operations of the Project. The Year-End Progress Report is due forty-five (45) days after the end of the funding year. All performance reporting is conducted electronically via MBDA's Internet portal. The evaluation criteria and weighted-value for measuring Project performance on an ongoing basis are as follows:

<b>Performance Measure</b>	<b>Performance Points (at 100% Goal)</b>	<b>Performance Points (Maximum 150% Goal Achievement)</b>
Number of Jobs Created	15	22.5
Number of Jobs Retained	5	7.5
Dollar Value of Awarded Contracts and Procurements Transactions	15	22.5
Number of Awarded Contracts and Procurements Transactions	5	7.5
Dollar Value of Awarded Financial Transactions	15	22.5
Number of Awarded Financial Transactions	10	15.0
Number of Existing Clients Served	5	7.5
Number of New Clients Served	5	7.5
Number of Export Transactions Facilitated	5	7.5
Number of Advocacy Initiatives Facilitated	5	7.5
Number of Strategic Transactions Facilitated	5	7.5
Service Optimization Assessment	10	15.0

Bonus		Bonus Points (Maximum)
Eligible Bonus Items: - MBDA Special Initiatives - Youth Entrepreneurship - Collaboration with MBDA & MBDA Network - B2B Events Completed	N/A	10 total available  1 point per approved bonus item, 10 points total maximum
<b>Total Points</b>	<b>100 points</b>	<b>160 maximum</b>

**The performance goals are listed on an annual basis by MBDA and should be broken out into quarterly goals by the applicant in its proposal.**

MBDA encourages and rewards high achievement levels. Up to 150% of the maximum allowable points for most performance measures will be awarded, based on the extent to which the Project exceeds the minimum performance goal for the identified category. For example, if the minimum performance goal for the Dollar Value of Awarded Contracts is \$70 million and the Project achieves \$105 million in this category, the Project operator will receive 22.5 points. Alternatively, if the Project achieves \$110 million in this category, the operator would be limited by the 150% threshold and receive 22.5 points.

Under “Bonus Points,” a Project operator may earn up to 10 additional points in each performance year for additional activities related to the award requirements beyond required performance: (a) participating in special initiatives undertaken by MBDA; (b) providing services and events associated with a Youth Entrepreneurship program; (c) collaborating with MBDA staff on agency and departmental initiatives for the benefit of MBE clients; and (d) organizing and completing business-to-business events.

The Project can receive credit for its engagement and collaboration with MBDA National Partners. MBDA Partnerships, both formal and informal, can be leveraged by MBDA Business Project at the request of MBDA. Types of engagement include, but are not limited to: (1) collaborative matchmaking events for MBEs and contract or capital opportunities; (2) co-hosted capacity building workshops or webinars; (3) local and state level policy and issue forums; or (4) joint initiatives and projects aligned with MBDA’s strategic plan priorities.

The Project is required to utilize all of its resources to maintain optimum performance and/or operations. **Should the Project exceed its performance requirements prior to the end of a performance period, the Project is expected to maintain operations at full capacity, and continue to provide services consistent with the award.**

MBDA views the Project operator as a cooperative partner and collaborator with MBDA in serving the minority community. The staff of the Project is seen as working in partnership with MBDA to communicate the mission and values of the MBDA to the minority business community. Thus, high achievement in any one performance measure does not waive performance of goals proposed in the application and as stated in this Appendix. Failure to satisfy minimal goals in other performance elements may result in termination of the award, notwithstanding high achievement in any particular performance element.

In order for a reported outcome to be considered and counted towards the Project goal, the outcome must have a link to the Project services. A “link” is defined as specific actions provided by the Project to the client for a specific objective directly related to the MBDA Business Project program goals (*e.g.*, loan packaging services resulting in an approved loan, bid matching services resulting in the client securing a contract, managerial consulting focused on increasing productivity resulting in jobs retained). The Project may also receive credit for a defined outcome towards a goal achieved through the assistance of a strategic partner or in collaboration with other MBDA funded projects and staff. Strategic partner or collaborative-related outcomes must have a link to the Project services.



## **APPENDIX D**

### **Definitions of Key Terms**

1. **Number of Jobs Created** – The number of new full time and/or part time employment opportunities reported on the client’s payroll during the funding year. Persons on paid sick leave, paid holiday and paid vacations are included as employees, as are salaried officers and executives of corporations. However, proprietors and partners of unincorporated businesses are not considered employees under this definition.
2. **Number of Jobs Retained** – The number of existing full time and/or part time employee positions retained and reported on the client’s payroll during the funding year. Job retention pertains to maintaining the status quo of persons employed by the client in lieu of subjective and objective decisions made by the client to reduce its work force due to economic conditions, lack of capital, failure to secure necessary contracts and/or sales. Persons on paid sick leave, paid holiday and paid vacations are included as employees, as are salaried officers and executives of corporations. However, proprietors and partners of unincorporated businesses are not considered employees under this definition.
3. **Dollar Value of Awarded Contracts and Procurements** – This represents the total dollar value of successfully awarded contracts and/or the total principal value of executed sales/delivery contracts of services/products/intellectual rights and/or other binding financial considerations secured by clients of the Project, with the assistance of the Project staff.

For purposes of this performance element, Dollar Value of Awarded Contracts and Procurements are those transactions which have a specific dollar value, and which produce a commercial benefit for the client.

MBDA recognizes that the financial obligations evidenced by these transactions may be long-term, and require the delivery of goods and services over an extended period. In some cases, the agreements may have been awarded as indefinite demand indefinite quantity. Consequently, it is not necessary that the funds or other financial value specified under the agreements have actually changed hands for the Project operator to receive credit. In the case of multi-year and multiple-year awards (base and option years), the full contract value, including option years, can be claimed in the year the contract was signed. Non-single year contracts shall require the Project to communicate with the client, obtain proof of awards that were let on or prior to the end of the Project award period and to conduct an update the MBDA performance system.

4. **Number of Contracts** – The number of awarded contracts and other binding procurement awards secured by clients.
5. **Dollar Value of Awarded Financial Transactions** – The total principal value of approved loans, equity financings, bonds, leases (property and equipment), assets under management or other binding financial agreements secured by clients of the Project, with the assistance of the Project staff. For purposes of this performance element, eligible financial transactions are those that have a specific dollar value, and which expand the client’s capital base/operations, or produce some other direct commercial benefit to the clients.

6. Number of Financial Transactions – The number of successful financial transactions secured by clients.
7. Number of New Clients Served – The actual number of new clients served in a funding period. Clients are defined as those MBEs that have not previously registered with the Project within the program period (years 1-5). The clients must complete a written engagement with the Project for specific services. Clients may be counted only once during the program year. Clients from a prior program year may not be counted under this definition. Note: all clients are considered new clients in the first program year.
8. Number of Existing Clients Served – The actual number of existing clients served in a funding period. Clients are defined as those MBEs that have registered previously with the Project from a prior performance year, completed a written engagement for specific services in the current performance year period, and are within the current performance period (year 1-5). Clients may be counted only once during the performance year by the Project. Clients from a prior performance year may be counted in a subsequent performance year if continued service provision to said clients is documented.
9. Number of Export Transactions Facilitated – The number of global contract opportunities and export financing transactions secured by clients as a result of direct Project activity related to international trade assistance.
10. Number of Strategic Transactions Facilitated – The number of awarded transactions secured by clients that included successful Project facilitation of joint ventures, teaming arrangements, and/or the number of mergers and acquisitions facilitated on behalf of clients by the Project. MBDA is seeking to build MBE capacity/capability through (1) the establishment of competitive teams for federal/state/local government and private sector contracting opportunities, and (2) the promotion of mergers and acquisitions.
11. Service Optimization – MBDA's evaluation of the overall management of the Project, based on the Agency's internal review of the Project's operations and adherence to the Manual. The management assessment focuses on such areas as the development of written service engagements and work plans; proper staffing; adherence to scheduled work hours; recordkeeping; successful completion of Agency training; customer relationship management, maintenance of strategic partnerships; bonding compliance; mandatory match; market promotion and any other areas which MBDA may deem to be relevant in determining the overall quality of the Project's operations. A Project operator may also lose up to two points from the assessment if the Project staff fails to participate in the required training credit hours.
12. Collaboration in Shared Outcomes – MBDA expects collaboration of activity throughout the MBDA nationwide network of funded programs and projects. Shared outcomes occurs when two or more Projects/projects collaborate to: facilitate and/or assist a client with an awarded transaction to include jobs created/retained, B2B event sponsorships, special initiatives/requests from MBDA/Department of Commerce. An approved MBDA form will be used to determine the shared percentage of an outcome resulting in an awarded transaction. The Projects/projects engaged in Collaboration in Shared Outcomes will negotiate amongst themselves to determine

the percentage of shared outcomes prior to recording in the MBDA CRM Performance System. **Special Mention:** It should be noted that collaboration among the Business Project network is expected and includes the following MBDA nationwide network of funded programs and projects: National Capital Specialty Project, National Federal Procurement Project, American Indian and Alaska Native Projects, Advanced Manufacturing Project, Export Project or any other program(s) or initiative(s) offered by MBDA. Collaboration can involve but is not limited to assistance with deal facilitation of contracts, capital and market opportunities, teaming arrangements, joint ventures or strategic partners.

13. **Performance Bonus** - The Project may earn up to a maximum of 10 points in any funding period for performance in addition to the performance criteria as follows:
  - a. Participation in and Successful Execution of MBDA Special Initiatives (such as but not limited to Youth Entrepreneurship) – On occasion, MBDA may issue a request for Project participation on special Agency and/or Department of Commerce initiatives. The Project may be asked and/or instructed to support MBDA in these special efforts. MBDA shall reward the Project by allocating up to one (1) bonus point per event, for a maximum of (5) five points. MBDA Special Initiatives shall be formally announced to the program as a whole, in further detail, and all Projects will have an opportunity to participate.
  - b. Collaboration with MBDA – The MBDA Business Project program is a component of MBDA’s overall portfolio of minority business assistance services. To further encourage Project collaboration with the Agency in generating outcomes for clients, MBDA will award up to one (1) bonus point per client successfully assisted in partnership with MBDA staff, for a maximum of five (5) points. As a part of business Project operations, the Business Project accepts client referrals from MBDA Headquarters and the MBDA nationwide network of funded programs and projects.
  - c. Business to Business (B2B) Events Completed – B2B events are a cost-effective and convenient mechanism for matching vetted MBEs with interested purchasing officials from the private and public sectors. This activity involves identifying the business needs of all parties and ensuring that all matchmaking appointments are qualified and mutually beneficial. MBDA will award up to one (1) bonus point per B2B event successfully executed, for a maximum of five (5) points.
14. **Facilitation** – This represents one of the business consulting services provided by the MBDA Business Project to its clients. It involves the act of identifying and coordinating meetings between clients and contracting officers, lending/financial institutions and domestic/international market opportunity providers that will yield awarded transaction outcomes. Examples of facilitation include, but are not limited to: matching a client with a public or private sector contracting officer that results in a contract; matching a client to a traditional and/or alternative source of financing that result in a loan/investment and matching a client to a domestic or international market opportunity. It can also involve the Business Project providing consulting expertise that leads to a teaming arrangement, joint venture or strategic partnership that strengthens the clients’ competitive advantage for future deals.

15. Harvesting – Harvesting is prohibited under the MBDA Business Project program. “Harvesting” is defined as any action by which a Project takes credit for a contract or financial transaction without having performed some work that linked the Project to the client and that helped the client obtain the contract or complete the financial transaction. A Project found to employ the practice of harvesting is subject to having its award with MBDA terminated for cause.
16. Pipeline – A “Pipeline” is defined as a tool designed to capture forecasted and discovered opportunities through stages until the contract or financial transaction has been awarded. The Pipeline tracks the Project’s progress and provides transparency to the Project’s client projected outcome activities. The Pipeline should be “robust” and updated monthly to reflect the status of deal flow. Pertinent fields/data that will be collected include: client name, deal name, close date, probability, and the deal amount. Failure to update the pipeline could potentially result in the loss of points from the Service Optimization Assessment score.
17. Co-mingling – The act of blending MBDA financial assistance award funds with other related and/or non-related program funds and accounts. For example, if a grant recipient operates more than one grant program or other economic and/or business development related program, it is expected that there will be separate accounting systems for each grant program. Please be advised that this is prohibited under the MBDA Cooperative Agreement and if commingling is cited the recipient may be required to: (i) reimburse the federal government; (ii) terminate the award; and/or (iii) incur other legal penalties for the offense.
18. Rapid Growth Potential – Rapid growth-potential is determined on an individual, case-by-case basis by the Project staff (“Consultant”). The Consultant upon conducting a client assessment and comprehensive review of a prospective MBE client, business concept, business plan and/or feasibility analysis may determine if the MBE has a high propensity for sales/revenue growth that would result in making an economic impact in its local community and/or creating U.S. jobs. A determination of Rapid Growth Potential may vary based on emerging domestic and international high growth industry trends, current market conditions, and viability of product lines and services offered by the MBE.
19. Client Success Stories – A qualitative measure of MBDA Business Project performance, client success stories provide a detailed narrative of the services rendered, the impact on MBE operations and/or revenue, and the actual outcome (i.e., contract or capital award). MBDA’s Office of Public Affairs collects information on client success via a standard form that the Project completes in consultation with the client. A final submission also includes a signed legal waiver for permission to publish.
20. Capture Management (CM) – CM is the process of identifying contract opportunities, matching the opportunity to a MBE client, and tracking the probability of a favorable outcome that results in a transaction awarded to the MBE client. Through the CM process, a Project will track the progress and transition of an opportunity from discovery to award/close. The Pipeline is a tool used in support of CM.

21. Client Feedback Loop – This process will allow MBDA to gather customer, client and stakeholder insight about the quality and value of our programs and services delivered. The feedback will help MBDA continue to deliver the highest standard of service to MBEs and other key stakeholders. The feedback may initiate from the point of customer/stakeholder contact to the completion of a desired outcome.
22. Performance Improvement Plan (PIP) – A Performance Improvement Plan (PIP) is an enforcement action. The PIP defines the current areas of concern regarding the Project operator’s work performance. The PIP reiterates MBDA’s expectations and allows the Project operator the opportunity to demonstrate improvement and compliance with the award terms and conditions. The PIP also outlines actions to be taken in steps when a Project operator has received an “Unsatisfactory” performance rating during two consecutive performance periods.
23. Metropolitan Statistical Area (MSA) – The general concept of a metropolitan area is that of a large population nucleus, together with adjacent communities having a high degree of social and economic integration with that core. The Office of Management and Budget (OMB) defines metropolitan areas for purposes of collecting, tabulating, and publishing federal data.
24. Advocacy – Advocacy means promoting the mobilization of activities and resources of State and local governments, businesses and trade associations, universities, foundations, professional organizations, and volunteer and other groups towards the growth of minority business enterprises, and facilitating the coordination of the efforts of these groups with those of Federal departments and agencies. Examples include:
  - (a) Convening business leaders, educators, and other representatives of the private sector who are engaged in assisting the development of minority business enterprise or who could contribute to its development, for the purpose of proposing, evaluating and coordinating governmental and private activities in furtherance of MBEs and MBE community.
  - (b) Conferring with and informing officials of State and local governments about minority business development activities and issues.
  - (c) Providing managerial and/or organizational framework through which joint or collaborative undertakings with Federal departments or agencies or private organizations can be planned and implemented for the benefit of MBEs.
25. Customers – Minority or non-minority entrepreneurs and/or persons interested in entrepreneurship who do not have a written client service engagement agreement with a MBDA Business Project.
26. Clients – Minority businesses and/or persons who meet the eligibility criteria set out in Executive Order 11625 or 15 CFR § 1400.1, and who have signed a client service engagement agreement with a MBDA Business Project.
27. Minorities – Persons who are of the following ethnicity and/or race: African American, Hispanic American, American Asian and Pacific Islander, Native American (including Alaska Natives, Alaska Native Corporations and Tribal entities), Asian Indian American, and Hasidic Jewish Americans.

**Please note that program performance related definitions may be subject to change based on Department of Commerce imperatives, quality assessment reviews, and/or federal audit findings.**

## **APPENDIX E**

### **Information Technology and Computer Requirements**

MBDA requires that all Project operators meet certain requirements related to the acquisition, installation, configuration, maintenance and security of information technology (IT) assets *within thirty (30) calendar days after receipt of the award*, in order to ensure seamless and productive interface between and among all grant recipients, minority-owned businesses, the MBDA Federal IT system and the public. These required assets and their configuration are hereinafter referred to as the “enterprise.” The basic components of the enterprise are the mobile workstation, the server (where applicable), local area network (LAN) (where applicable), and a source for web enablement.

At a minimum, the Project operator shall provide one (1) business- grade mobile workstation (“workstation”) (e.g., business grade laptop), for the exclusive use of each Project employee delivering minority business assistance to the public under an award from MBDA. All mobile workstations shall be web enabled and can take form in one or more service platforms including: (i) connected to a client/server network using an Ethernet protocol enabling communication with all workstations on the operator’s network; or (ii) using wireless protocol devices allowing direct access to the internet. The server shall have a constant, high-speed broadband Internet connection. The Project operator may also ensure that each Project employee performing business development activities (e.g., business development consultants/specialist) have access to business grade tablets capable logging into MBDA’s CRM system and other tools support by MBDA.

The Project operator shall ensure that each of the Project employees (including management, administrative personnel, contractors, full-time, part-time, and non-paid (volunteer) staff) have a unique electronic mail (email) address that is available to the public. The designated email address(s) shall utilize a Microsoft 2010 platform (or later version) and be able to interface with Salesforce or any other technology platforms implemented by MBDA. The Project operator shall design, develop and maintain, in accordance with the computer requirements, a presence on the Internet’s World Wide Web that conforms to MBDA’s current branding policy. The Project operator shall also maintain appropriate computer and network security precautions during all periods of funding by MBDA. All IT requirements, as described herein, shall be met by the Project operator within thirty (30) calendar days after the award.

*A Project operator’s failure to adhere to the MBDA Business Project program computer requirements as set forth herein may result in enforcement action under the award, including but not limited to the withholding of award payments until full compliance is reached.*

- A. Cloud Based Solution:** A cloud based solution is any resource that is provided over the Internet. The most common cloud solution resources are Software-as-a-Service (SaaS), Platform-as-a-Service (PaaS) and Infrastructure-as-a-Service (IaaS).
- B. Network Design:** All locations where services are delivered to the eligible organization as defined by Executive Order 11625 and 15 CFR § 1400.1, the Project operator can operate a Client Server Network that provides shared disk drives and the setup of print queues for a network printer(s) (if individual printers are not provided) for each staff person delivering services to the eligible public. MBDA shall, from time to time, specify certain configurations

of the enterprise hardware and software to meet interface requirements.

MBDA requires servers using an operating system that is fully compatible with Microsoft Windows 2010. Any server providing principal service to the desktops shall contain one (1) or more terabytes (TB) of hard drive space using two or more disks configured appropriately to ensure data retention should one disk fail. At least one (1) Quad-Core Intel central processing unit (CPU) or any other server providing principal service to the workstations shall be used. Web servers, mail servers and/or servers maintained by a third party such as an Internet Service Provider (ISP) shall meet the minimum server specifications as stated herein.

- C. Mobile Workstations:** All workstation systems shall not be more than four (4) calendar years old at time of award and shall contain an Intel Cores Quad Processor class central processing unit (CPU), operating at speeds not less than 2.4 Gigahertz (GHz). Each workstation system shall contain a hard drive with a storage capacity of at least five hundred (500) GB and 1 Gigabyte (GB) of RAM and a CD or DVD reader/writer. All workstations systems shall have installed an operating system fully compatible with Microsoft Windows 10 64 bit Professional or higher Operating System, MS Office 2010 Professional or higher, Microsoft Internet Explorer 9.x, Anti-Virus software, software or hardware-based Firewall and Adobe Reader 9.1 or higher. Additionally, it is suggested that a full-page scanner, along with software fully compatible with Adobe Acrobat (Standard or Professional, 10.2 or higher) be installed on a minimum of one workstation for the production of electronic document submissions.

The Project operator shall refresh (i.e. replace) all related computing devices (mobile workstations, tablets, etc.) designated to support the Project every four years or sooner if it is determined that the technology is no longer compatible with updated security standards or computing requirements. The Project operator shall provide evidence of their system refresh to their assigned Program Analyst and the MBDA Program Management Supervisor.

- D. Maintenance and Security:** An enterprise map (“as-built”) reflecting adherence to the computer and networking requirements set forth herein shall be maintained by the Project operator for review by MBDA at any time. The Project operator shall designate and train one administrative person competent in the operation of an Operations System fully compatible with Windows 2010 network (or higher) and local area network (LAN) technology as described herein. From time to time, MBDA may require that certain software be loaded on servers and desktops. In any given year, the cost of this additional software may be \$600.00 or higher per mobile workstation and \$1000.00 or higher per server. Applicants should include amounts for potential software upgrades for outer years in their proposed budget.

Every employee of the Project shall be assigned a unique username and password to access the computing device and enterprise. Every Project employee shall be required to sign a written computer security agreement (the computer security agreement will be provided at the time of award and/or on the MBDA Portal). Every Project manager, employee, and contractor and any other person given access to the enterprise shall sign the security agreement and an original copy of the signed agreement shall be kept in the MBDA Business Project files. A photocopy of the signed agreement shall be submitted to MBDA, no later than thirty (30) calendar days after receipt of the award. The original agreement shall be maintained on file by the Project operator. All subsequent new hires and associations requiring access to the



Project or MBDA systems shall read, understand, and sign the security agreement prior to issuance of a password no more than fourteen (14) calendar days after the start of their employment. No Project employee shall have access to any MBDA system(s) without a signed security agreement on file at MBDA.

**E. Web Site:** The Project operator shall create and maintain a public web site using a unique domain/address (e.g., [www.Project-name.com](http://www.Project-name.com)), that will conform to MBDA web standards (a comprehensive listing of MBDA web standards can be found on the MBDA Portal). MBDA Web standards may include, *but are not limited to the following*:

- 1) The first page (Index page) of the web site shall *clearly* identify the Project as a “MBDA Business Consulting Project funded by the U.S. Department of Commerce’s Minority Business Development Agency.” The index page of the web site shall load on software fully compatible with Microsoft Internet Explorer 9.x browser software using a normal home computer with 56 Kb/s analog phone- line connections in less than five (5) seconds.
- 2) The web site shall contain a “Contact” page with the names of all Project employees, the business and mailing address of the Project, business phone and fax numbers and email addresses of the Project and Project employees, a statement referencing the services available at the Project, the hours under which the Project operates and a link to the MBDA homepage at [www.mbda.gov](http://www.mbda.gov).
- 3) For purposes of electronically directing clients to the appropriate Project staff, the Project web site shall also contain a short biographical statement for each Project employee including management, contractors, part-time, full time, and non-paid (volunteer) personnel, providing services directly to the eligible public under an award from MBDA. This biographical statement shall contain: the full name of the Project employee, and a brief description of the expertise of the Project employee to include academic degrees, certifications and any other pertinent information with respect to that employee’s qualifications to deliver minority business assistance services to eligible members of the public.
- 4) No third party advertising of commercial goods and services shall be permitted on the site. All links to websites other than federal, state or local government agencies and non-profit educational institutions must be requested, in advance and in writing, through the MBDA Office of Public Affairs and the website must provide an external link policy or notice stating that they will be redirected to an external website. Specifically, a notice similar to the following must be provided:

*The appearance of hyperlinks to other sites does not constitute endorsement by the [Project operator’s company name] or by the Minority Business Development Agency of these web sites or the information, products or services contained therein. Regarding such external web sites, we do not exercise any editorial control over the information you may find at these locations. These links are provided consistent with [Project operator’s company name] stated purpose as shown on our web site. We recommend that you review the website’s information collection policy or terms and conditions to fully understand what information is collected and/or provided.*

- 5) Furthermore, the approval for the placement of such links shall not be unreasonably withheld but is subject to withdrawal if MBDA determines the linked site is unsuitable. No employee of the Project operator, nor any other person, shall use the Project web site for any purpose other than that approved under the terms of the agreement between the Project operator and MBDA.
- 6) Every page of the web site shall comply with Federal standards of the American With Disabilities Act, Section 508, and be reviewed by the Project for accuracy, currency, and appropriateness every three (3) months. In addition, MBDA's Section 508 Officer may occasionally review the project web site to ensure that it is Section 508 Compliant. For additional information and guidelines, please visit [www.section508.gov](http://www.section508.gov). Appropriate privacy notices and handicapped accessibility will be predominately featured. In general, MBDA may audit the Project web site and recommend changes in accordance with the guidelines set forth herein.
- 7) The Project operator will also be responsible for informing their assigned MBDA Program Analyst and the MBDA Program Management Supervisor of any changes in operations such as location, contact information or otherwise.

**F. Time for Compliance Regarding IT Requirements:** *Within thirty (30) calendar days after receipt of the award*, the Project operator shall report via email to the Federal Program Officer to the MBDA Business Project Program Management Supervisor that he/she has complied with all technical requirements as specified herein (a checklist will be provided at the Post Award Conference). Within thirty (30) calendar days after receipt of the award, the operator shall report the name, contact telephone number and email address of the Project director, Network or System Administrator.

**G. Performance System:** All required performance reporting to MBDA shall be conducted via the Internet using the Performance system to be found at a secure web site ([www.mbda.gov](http://www.mbda.gov)).

**H. Data Integrity:** The Project operator shall take the necessary steps to ensure that all data entered into MBDA systems, and systems operated by the Project operator in support of the award, or by any employee of the Project operator is verified, accurate and timely.

**I. Personally Identifiable Information (PII) and Business Identifiable Information (BII):** The Project shall configure systems to protect the PII/BII contained in the system from unauthorized access. The Project should employ best-practice techniques to protect confidentiality of sensitive PII and BII information. A Project, when it designs, develops, or operates a system of records on individuals or entities, or otherwise collects or has access to PII or BII in the performance of this grant shall, prior to taking such action, comply with the following requirements:

1. The Project shall have established policies and procedures in place to safeguard MBDA client PII/BII. The policies and procedures shall describe the Project's processes for identifying, assessing and mitigating privacy risks associated with PII. The policies and procedures shall also describe training that will be provided to Project staff and consultants on their roles and responsibilities for safeguarding MBDA client PII/BII and incident management of suspected or confirmed loss of MBDA client PII/BII in accordance with

OMB's Recommendations for Identity Theft Related Data Breach Notification, September 20, 2006, and OMB Memorandum M-07-16, Safeguarding Against and Responding to the Breach of Personally Identifiable Information, May 22, 2007.

2. The Project shall also ensure that all processes, procedures and equipment associated with PII/BII comply with all laws, regulations, and MBDA security mandates as defined by National Institute of Standards and Technology (NIST) Special Publication (SP) 800-61 Revision 1 and are aligned with the incident categories and timelines referenced in Table J-1 of NIST SP 800-61, as well as U.S. government policies developed to safeguard the confidentiality, integrity and availability of MBDA data that may contain PII/BII. In support of these requirements, the Project shall have:
  - a. Policies, procedures, and mechanisms designed to restrict access to MBDA data exclusively to authorized personnel.
  - b. Policies, procedures, and mechanisms that prevent transmission or disclosure of MBDA data to an unauthorized party.
  - c. Policies, procedures, and mechanisms that ensure MBDA data on portable devices are encrypted using methods compliant with Federal Information Processing Standard 140-2.
  - d. Policies, procedures, and mechanisms that ensure any sensitive MBDA data transmitted across public networks (*i.e.*, the Internet) by Business Project staff and Project consultants are protected using encryption compliant with Federal Information Processing Standard 140-2.
  - e. Annual assessments to the MBDA demonstrating that the policies, procedures, and mechanisms required by continuing to be functional, that the Project is compliant with these requirements, and that these requirements are effective.
  - f. Copies of its privacy policies to MBDA Headquarters at the time of award. The Project shall also provide a copy of the policies and procedures (or otherwise make such policies and procedures available) to all of its staff and consultants.
  - g. Ensure that those individuals adhere to the Project's policies and procedures relating to PII/BII and to MBDA-prescribed policies and procedures for the safe handling of MBDA PII/BII, including privacy and MBDA security training requirements and privacy incident management.
  - h. Immediate alerts to MBDA of any event, including the suspected or confirmed loss of MBDA PII/BII, that could potentially affect the privacy rights of individuals or which violates any federal law, regulation, mandate or requirement as defined in NIST 800-122 by contacting the MBDA designated point of contact. The Project shall act in accordance with its policies and procedures in the event of any suspected loss of MBDA PII/BII and shall support the MBDA's investigation and resolution of reported incidents as requested by the MBDA. For purposes of this clause, a "suspected loss of PII/BII" shall be interpreted liberally to mean any situation in which the loss of PII/BII or unapproved access to PII/BII is deemed a reasonable possibility.

**J. Time for Compliance Regarding IT Requirements:** *Within sixty (60) days after receipt of the award*, the Project operator shall report via email to the Federal Program Officer and the MBDA CIO of the Office of Information Technology, Research and Innovation and to the MBDA Program Manager that he/she has complied with all technical requirements as specified

herein (a checklist will be provided at the Post Award Conference). **Within thirty (30) days after receipt of the award, the Project operator shall report the name, contact telephone number and email address of the Project director, Network or System Administrator.**

**APPENDIX F**  
**Training Requirements and Definitions**

**A. Training Requirements**

MBDA has designed a comprehensive training program for the MBDA Business Project program. The identified Project staff shall be required to participate in the following training sessions (subject to the availability of the training as determined by MBDA):

<b>Training Event</b>	<b>Delivery Mode</b>	<b>Operator</b>	<b>Director</b>	<b>Consultant(s)</b>
Post- Award Conference	In Person	Mandatory	Mandatory	N/A
Program Review and Orientation	Teleconference	Mandatory	Mandatory	Mandatory
Grants Online System	Webinar	Mandatory	Mandatory	N/A
Customer Relationship Management Performance System	Webinar	Mandatory	Mandatory	Mandatory
MBDA Working Group Collaboration	Teleconference or In-Person Attendance	Mandatory	Mandatory	N/A
Monthly Business Project Teleconference	Teleconference	Mandatory	Mandatory	N/A
MBDA National Training Conference	In-Person Attendance	Mandatory	Mandatory	Mandatory
MBDA National MED-Week	In-Person Attendance	Mandatory	Mandatory	Optional
Professional Development Training	Teleconference or Webinar	Optional	Optional	Mandatory
E-Tools	In-Person Attendance or Webinar	Optional	Mandatory	Mandatory
NOAA Grants Recipient Workshop 1 <sup>st</sup> year and 3 <sup>rd</sup> year	In-Person or Webinar	Mandatory	Mandatory	N/A
Ethics Training for Recipients	In-Person or Webinar	Mandatory	Mandatory	Mandatory

Informational Security Training PII/BII	In-Person or Webinar	Mandatory	Mandatory	Mandatory
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If the Project staff fails to participate in the required training indicated above the Project shall lose a maximum of two (2) points from the performance assessment score during each evaluation period. The Project personnel professional and educational experience shall not be accepted as substitutions for attending the trainings.

## **B. Training Definitions**

1. **Post-Award Conference:** This session, held once in the first year, is designed to review the award and key issues pertaining to the successful management of the award. Failure to attend shall designate the Project operator as non-compliant with the award and may result in award termination. A change in Project director will require the Project director to attend a post-award conference as soon as practicable following the commencement of his/her duties. The anticipated location of training is Washington, D.C.
2. **Program Review and Orientation:** This session, held once in the first year, will focus on understanding key aspects of the Project operations and procedures. This training will not require travel and may be conducted over a series of days by teleconference or by MBDA staff attending the Project in person.
3. **Grants Online System Orientation:** This session, held once in the first year, is designed to review basic access, navigation and understanding of the Grants Online (GOL) system. The GOL system is utilized by MBDA and the Grants Office to manage all financial assistance awards administered by the Agency. This training will be conducted via webinar and will not require travel.
4. **MBDA CRM Performance System Orientation:** This training is designed to review basic access, navigation and understanding of the MBDA CRM Performance system. This system is a tool developed to enhance the client intake and relationship management processes across MBDA. The system is also used to capture and track Project performance. This training will be conducted via webinar and will not require travel.
5. **MBDA Working Groups Collaboration:** This session, held once in the first program year, is designed to foster the flow of communication and leveraging of resources and talent within the MBDA network. The cultivation of this collaborative environment is anticipated to expand the Agency's ability to deliver seamless and relevant services to benefit Native American, Alaska Native and MBE firms across the nation. This training will be conducted via webinar and will not require travel.
6. **Monthly Business Project/Project Teleconferences:** MBDA will conduct monthly Business Project Teleconferences with all Projects/Projects to provide updates on upcoming events, trainings, system enhancements, policy developments, and to offer a forum for Project questions and feedback. Travel will not be required.
7. **MBDA National Training Conference (NTC):** This training is designed to review key MBDA initiatives among all the Projects/ Projects and MBDA staff. Specialized

programmatic training as well as formal meetings and/or trainings with the MBDA Office of Business Development are also offered at this event. The NTC is held once a year, depending on the availability of funds. The location of this event varies. However, the Project should anticipate travel related costs to this activity. This session is normally a 3-day event, not including travel days.

8. MBDA National MED Week: This is an annual program typically conducted in Washington, D.C. and is a culmination of all MED Week celebrations. The event features workshops, seminars, and business matchmaking activities that inform attendees of new opportunities and information related to contracts, capital and markets. MED Week also hosts a celebratory awards program in recognition of MBE clients that have made significant economic impact and minority business advocates that have supported supplier diversity. The Project will nominate MBE clients in the pre-planning stages of the conference and support the promotion of the conference through outreach efforts to its respective clients. The Project will be required to attend the full conference unless otherwise noted by MBDA. This event is held once a year, depending on the availability of funds for approximately 1-4 days. The Project attendees should anticipate travel related costs.
9. Professional Development Training: This platform is designed to provide an opportunity for educational and professional development to advance the Project's service offerings. Training could include strategic planning consulting, financing, and procurement opportunities. MBDA anticipates these training opportunities will be conducted in multiple sessions throughout the funding period. Training will be conducted by the MBDA Office of Business Development and external partners at various locations across the United States and can be in-person or webinar accessible. MBDA will leverage strategic partners including Federal partners, academic institutions and public/private sector to tailor training to meet the needs of the program.
10. E-Tools: This refers to any online application in which all or some parts of the application is downloaded from the web each time it is run. It may refer to browser-based apps that run within the user's web browser, or to "rich client" desktop apps that do not use a browser or to mobile apps that access the web for additional information. Training will be conducted at the NTC or via webinar.
11. NOAA Grants Recipient Workshop: The Grants Workshop is an intensive and detailed session, that will provide guidance on how to ensure that grant application packages are clear, concise and contain all of the pertinent information and documentation required to receive approval. Federal forms, budget justifications and narratives and project descriptions are all topics for discussion. The applicant should anticipate travel related costs.
12. Ethics Training for Recipients: The Ethics Law and Programs Division staff provides guidance on issues including financial and non-financial conflicts of interest, outside activities, political activities, gifts, and post-employment restrictions. To ensure that advisory services are readily available, an attorney is assigned each day to answer telephone questions and e-mail inquiries. Training will be conducted at the NTC or via webinar.

13. IT Security Training PII/BII: The Project shall have established policies and procedures in place to safeguard MBDA client PII/BII. The policies and procedures shall describe the Project's processes for identifying, assessing and mitigating privacy risks associated with PII. The policies and procedures shall also describe training that will be provided to Project staff and consultants on their roles and responsibilities for safeguarding MBDA client PII/BII and incident management of suspected or confirmed loss of MBDA client PII/BII in accordance with OMB's Recommendations for Identity Theft Related Data Breach Notification, September 20, 2006, and OMB Memorandum M-07-16, Safeguarding Against and Responding to the Breach of Personally Identifiable Information, May 22, 2007. Training will be conducted at the NTC or via webinar.



## **APPENDIX G**

### **Youth Entrepreneurship Concepts**

MBDA encourages the collaboration of its Projects with secondary educational institutions and colleges and universities, chambers of commerce and trade associations to support programs targeted at Youth Entrepreneurship. A youth entrepreneurship proposal must be submitted in addition to the criteria required in the application and may not be used as a substitute for the required criteria. The platform for innovative ideas and concepts submitted for Bonus Points could range from educational platforms to Pitch Forums and could address either one or several of the outcomes listed:

- Meet the need for awareness and exploration activities in entrepreneurship for minority youth.
- Instruct minority students in entrepreneurship skills that will give them a head start in the business world and an incentive to continue their education.
- Provide knowledge and education on the fundamentals of entrepreneurship.
- Teach importance of creating capital ownership and wealth within a community and help bring economic empowerment to the members of the community.
- Begin preparing a class of future minority entrepreneurs, especially in urban and rural areas marked by low-income populations.
- Enhance business growth, create jobs, develop community resources and stimulate National economy.
- Show minority youth the real possibility of business ownership as a career.
- Provide early introduction to economics, entrepreneurship skills, and venture initiation.

Examples of Programs:

#### **Summer Institutes/Camps**

Operate summer institutes or summer camps where participants receive intensive training for one or more weeks in entrepreneurial skills. Summer programs may be run separately or as part of a larger instructional agenda. Summer institutes are to provide the following general kinds of activities:

- Present speakers and interactive films on business
- Introduce students to the language/concepts of entrepreneurship
- Furnish adult advisors and mentors. Or “big sister, big brother” programs
- Hold intensive workshop/seminar discussions
- Divide students into groups or “companies” under advisors/mentors
- Run computer business simulations where individuals/groups try to product a market or product
- Have students create (and possibly execute) advertising for their product
- Award certificates for completing the summer program

This type of program would be a great addition to our Youth Entrepreneurship initiative, as it provides an interactive “business haven” for high school students to gain exposure to the entrepreneurial world. This is a program where students can commit full-time and develop a business-like focus that may impact their immediate future.

#### **Pitch Forum Competition**

Many colleges and secondary schools sponsor competitions among students who present an idea for a business venture. Contestants submit a proposal for new product/service, perform market research and cost analysis, then write a business plan and make an oral presentation to a panel of judges. The panel usually has owners and other business leaders who do evaluations. Winning contestants may receive a trophy, cash awards, scholarships, etc.

**Business Consulting by Graduate Students**

A number of entrepreneurship programs employ MBA graduate student consultants to give technical advice for new or established owners. Graduate students, under faculty supervision, help analyze the problems of small concerns. This is an excellent learning opportunity for them which they may turn to good use in their future entrepreneurship.

**Mentorship**

Mentoring is an informal type of training which accords young trainees' one-to-one business learning experiences with college students or adult business owners. It is a very useful method of conveying practical experience directly, as well as providing a first-hand, positive role model for youthful minority entrepreneurs. Many college social clubs, business fraternities and student organizations offer student-volunteered mentorship services to their communities for free. MBDA or business Projects should connect with local universities to establish a mentorship program.

## **APPENDIX H**

### **Application Checklist**

- \_\_\_ Cover Page
- \_\_\_ Table of Contents
- \_\_\_ Program Narrative
  
- \_\_\_ Applicant Capability
  - \_\_\_ Organizational background and knowledge of community
  - \_\_\_ Mission alignment
  - \_\_\_ Access to markets
  - \_\_\_ Access to capital
  - \_\_\_ Business consulting to targeted clients, key staff
  
- \_\_\_ Resources
  - \_\_\_ Partners
  - \_\_\_ Resources
  - \_\_\_ Location/Equipment
  
- \_\_\_ Techniques and Methodologies\*
  - \_\_\_ Performance measures
  - \_\_\_ Start-up phase
  - \_\_\_ Work requirement execution plan
  
- \_\_\_ Required Attachments
  - \_\_\_ Applicant organizational chart
  - \_\_\_ Proposed MBDA Business Project organizational chart
  - \_\_\_ Project director resume, professional references (three) and letter of commitment (if applicable)
  - \_\_\_ Resumes of other key Project staff (if applicable)
  - \_\_\_ Position descriptions, qualification requirements and salary ranges
  - \_\_\_ Copy of State-issued Certificate of Good Standing, registered Articles of Incorporation, by-laws, IRS 501 (c)(3) tax-exempt letter, authorizing legislation or other evidence of applicant legal entity
  - \_\_\_ Scanned Letter(s) of Commitment from strategic partners and other resources
  - \_\_\_ Quarterly breakdown of performance goals (one chart for each year)
  - \_\_\_ Project staff allocation chart (one for each year, see example)
  - \_\_\_ Listing of Project operating hours and all anticipated holiday closures (one for each year)
  
- \_\_\_ Budget Narrative
  - \_\_\_ Proposed Detailed Budget (one for each funding period, total of 5)
  - \_\_\_ Proposed Budget Narrative (one for each funding period, total of 5)
  - \_\_\_ Scanned Letters of Commitment from Third Party In-Kind Contributors (if applicable)

\_\_\_\_ Youth Entrepreneurship - Optional  
\_\_\_\_ Plan to fully execute innovative service

\_\_\_\_ Standard Forms  
\_\_\_\_ SF – 424 (one set to cover all funding periods)  
\_\_\_\_ SF – 424 A (one for each funding period, total of 5 sets)  
\_\_\_\_ SF – 424 B  
\_\_\_\_ SF – LLL

\_\_\_\_ Commerce Department Forms  
\_\_\_\_ CD 511

\*Multi-year awards require the applicant to acknowledge what services will be provided for each program year. The Project applicant may provide a summary statement indicating the proposed techniques and methodologies will remain consistent for the entire funding period.

## **APPENDIX I**

### **Representation by Corporations Regarding an Unpaid Delinquent Tax Liability or a Felony Conviction Under Any Federal Law**

Pursuant to the current Appropriations Act, funds made available by the Act are prohibited from use to enter into a cooperative agreement with or make a grant to any corporation that:

1. Was convicted of a felony criminal violation under any Federal law within the preceding 24 months, unless any agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interest of the Government; and/or,
2. has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, unless an agency has considered suspension or debarment of the corporation and made a determination that this further action is not necessary to protect the interest of the Government.

**The Applicant represents that:**

It is or it is not a corporation that was convicted of a felony criminal violation under a Federal law within the preceding 24 months.

It is or it is not a corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that not being paid in a timely manner pursuant to an agreements with the authority responsible for collecting the tax liability.

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**[Signature of person who has authority to certify on behalf of the corporation]**

**[Typed name of the signing individual]**

**[Typed title of the signing individual]**

**[Typed name of corporation]**

**[Typed phone number of the signing individual]**

**[Typed email address of the signing individual]**

## **APPENDIX J**

### **Work Requirements**

The primary drivers of the MBDA Business Project program are job creation, retention and award of contracts/procurements and financial transactions for MBEs. The MBDA Project provides services including, but not limited to, the development of a pool of contract and finance opportunities; direct matching of opportunities with qualified/vetted MBEs; execution of relationship management and deal sourcing initiatives (e.g., industry clusters); assisting MBEs in accessing global market opportunities and financing; identification and securing of alternative sources of capital for MBEs; advocating for MBEs; promoting of the advantages of achieving size and scale to MBEs; educating MBEs on the benefits of strategic growth alternatives (e.g., mergers, acquisitions and/or joint ventures); and provision of service referrals to MBEs of all sizes.

Through the cooperative agreements expected to be awarded under this FFO, MBDA seeks to establish a national network of public-private partnerships that will provide services aimed at increasing the probability of significant growth for minority-owned firms. The Project, MBDA staff and the MBDA nationwide network of programs and projects will work collaboratively to improve access to market and financial opportunities (domestic and global), foster key industry relationships, and leverage business expertise. The Project operator will work with MBDA and its network of funded Projects to support and enhance MBDA's initiatives, performance, brand, reach, customer service, and strategic partners.

Successful applicants will possess experience in assisting minority firms in obtaining large scale contracts/procurements and financing awards; accessing established supply chains; educating and assisting minority firms in joint ventures, teaming arrangements, mergers and acquisitions; and facilitating entry and large scale transactions in global markets, and advocating for MBEs. The mission of successful applicant organizations should align with both the MBDA mission and the MBDA Business Project program objectives.

The Project services are targeted towards assisting MBE clients to achieve high levels of growth and competitiveness. Start-up and/or micro firms will be served by the MBDA Business Project via strategic partnership referrals or electronic service delivery mechanisms (e.g., MBDA Business Portal at [www.mbda.gov](http://www.mbda.gov)). While the Project serves all MBEs, target clients include eligible MBEs with one or more of the following characteristics: (1) annual revenues of over \$1,000,000 (2) participation in a high-growth industry (e.g., green technology, clean energy, health care, infrastructure and broadband technology); or (3) rapid growth potential (see Appendix D: Definitions of Key Terms).

Each MBDA Business Project is part of a broader MBDA network and must be able to collaborate with MBDA staff and the MBDA nationwide network of programs and projects. MBDA expects the MBDA Business Project to provide services to firms beyond a reasonable distance through virtual communications. The physical locations for each MBDA Business Project are outlined in Appendix A.

Although the each Project must have a physical office location as designated by MBDA within this announcement, a Project may serve MBEs nationwide.

## General Program Requirements

The MBDA Business Project program requires Project staff to: (1) directly provide high-level business development and expert consulting services to eligible MBEs by facilitating access to capital, contracts and market opportunities; (2) develop, cultivate and maintain a network of high quality strategic partnerships; with organizations that foster access to economic, markets, or contracts for MBEs; (3) collaborate with other MBDA Business Projects nationwide and strategic partners; and, (4) provide referral services to clients. The Projects will assist eligible MBEs in accessing federal and non-federal contracting opportunities in the public and private sector; traditional and alternative financing opportunities; as well as emerging domestic and international (export) market opportunities. These services will result in qualitative and quantitative outcomes yielding growth and expansion of MBE firms, building scale and capacity, and contributing to job creation/retention in the U.S.

MBDA has developed a variety of information technology tools to augment the Agency's ability to assist the minority business community. The Agency uses a high-speed network strategy that links all of the MBDA Business Projects and projects into a single virtual organization. All funded Projects and projects will have access to this technology through the MBDA Business Portal ([www.mbda.gov](http://www.mbda.gov)). Project operators and Project staff are required to attend MBDA trainings, as outlined (*see* Appendix F: Training Requirements and Definitions). The trainings are designed to increase operational efficiency and provide value-added client services.

## Program Details and Work Requirements

The Project is required to provide services in three basic areas—client services; program promotion and advocacy; and operational and performance management. These elements are designed to:

- Conduct a comprehensive assessment of immediate, interim and long-term client needs and expectations;
- Establish projected growth tracks;
- Implement targeted plans of action for increasing size, scale and capacity;
- Provide strategic referrals;
- Increase the exposure and visibility of the MBDA Business Project program and MBEs;
- Maintain optimal service delivery and the standard of operational quality of Project operations; and,
- Promote achievement of client outcomes by sharing and submitting success stories.

## Client Services

MBDA plans to initiate a three-tiered service model. The service model transitions contacts to customers and subsequently customers to MBE clients. The Project will assist in promoting and referring minority customers to other readily available resources, information and readily accessible online tools to further support their growth and development. The Project will record the contact and referral information of the Customer into MBDA's Customer Relationship Management (CRM) Performance system.

*“Customers” are defined as those minority entrepreneurs and/or minority persons interested in entrepreneurship who do not meet the service criteria as defined in the FFO (see Section I-B. Introduction) or do not have a written service engagement.*

The Project shall assist eligible MBEs (which have a current client engagement agreement, in growing their businesses and competing in domestic and global markets. The Project shall provide direct client assistance to MBEs in the form of business consulting, Business-to-Business (B2B) Linkage Forums, relationship brokering, strategic referrals, and deal-making.

All new and existing client services must be entered into MBDA’s CRM Performance system within three business days (72 hours) of the client engagement agreement, the time of service, and of each completed transaction. The Project is required to enter client profile information, detailed consulting services provided and description, awarded transactions and job creation/ retention into the CRM Performance System. A client feedback loop will be created to help MBDA ensure optimal service delivery. This feedback loop will include a Customer Satisfaction Survey and other elements as outlined in the Manual.

The client feedback loop is process for evaluating the MBDA Business Project program; MBDA may conduct surveys and/or evaluations during or after the program using outside parties hired by MBDA or by MBDA staff. MBDA Business Project Award recipients are required to respond to the evaluation questions and furnish information. Evaluators will treat information provided in response to the survey as business confidential and in accordance with federal privacy and disclosure laws. As a part of acceptance of funding, MBDA business Project award recipients agree to provide client information via MBDA’s CRM Performance system to facilitate evaluations upon request. Surveys conducted by MBDA will comply with the requirements of the Paperwork Reduction Act. *See*, 44 U.S.C. §§ 3501–3520.

MBDA may also share client information, client service information and performance results with other Federal agencies in order to conduct research, performance and impact studies consistent with the MBDA mission and programs. As such, all clients of the Project must agree to the use of their information for statistical and program evaluation purposes during the client intake process. Additional information about client intake procedures will be provided in the MBDA Business Project Operations Manual.

Client services include, but are not limited to, the following types of assistance:

1. Client Assessment and Engagement - This is defined as a fundamental Project business practice. This activity should be conducted prior to the onset of service delivery. A client assessment requires an interview to be completed between the prospective MBE client and a MBDA Business Project employee or representative to obtain specific information about the status of the client’s business and potential technical assistance or development needs. Once the assessment has been conducted, the MBDA Business Project will execute a client engagement form (i.e., a written service agreement) between the client and business Project director) with each client that specifies services to be provided. This engagement form must outline services individually tailored to the specific needs of each client and include a course of action for assisting the client in reaching its strategic goals. A completed form should contain the following elements:



2. Intake - Background and contact information on the client, such as:
  - Client capability
  - Determination of client service needs
  - Development of a tailored Service Plan; and,
  - Identification of strategic resources and referrals, used in conjunction with MBDA Business Project direct assistance.

The Project must ensure that MBE intake information is accurately recorded in the MBDA CRM Performance System.

3. Access to Markets – The Project is expected to engage in activities designed to expand MBEs access to new and emerging domestic and international markets to increase MBE revenue growth. These activities may include, but are not limited to:
  - Identifying procurement opportunities based on client needs, and sourcing deals;
  - Developing and maintaining strategic alliances with purchasing executives and government procurement officials;
  - Engaging in deal-making between purchasing organizations and minority firms, and assisting in bringing transactions to closure;
  - Conducting B2B forums, procurement/contract matchmaking events, opportunity fairs and networking events between MBEs and potential contract sources;
  - Educating and assisting in the development of joint ventures, teaming arrangements, strategic alliances, and mergers and acquisitions;
  - Solicitation analysis and bid/proposal preparation assistance;
  - Identifying potential export markets, facilitating global transactions and providing referrals to international trade programs and services; and
  - Conducting market analysis and market promotion assistance.
4. Access to Capital - The goal of the access to capital activities is to help MBEs obtain appropriate financing for business growth. Activities in this area include, but are not limited to:
  - Identifying financing opportunities based on client needs, and sourcing deals;
  - Developing and maintaining strategic alliances with banking officials and alternative financial resources;
  - Facilitating financial transactions by establishing and facilitating relationships between pre-qualified clients and sources of financing;
  - Financial assistance, for example, identification, preparation and packaging of standard commercial and alternative debt, bonding, leases (property and equipment), equity, mezzanine financing, accounts receivable, venture capital, angel investors, factoring and trade credits;
  - Identification and closure of opportunities for mergers and acquisitions;
  - Conducting financing forums and networking events between MBEs and potential financing sources; and
  - Conducting cost analysis.

5. Strategic Business Development - This activity involves providing tailored business development services directed towards assisting Project clients to achieve higher levels of growth, competitiveness and capacity building. Strategic Business Development services include, but are not limited to the following:
  - Financial Analysis Services includes capital budgeting, break-even analysis, cost accounting analysis, financial planning analysis and budgeting, and financial transaction packaging.
  - Marketing, Advertisement, Social Media and Sales Management includes strategic services designed to assist the client through increased sales.
  - Operations & Quality Management, includes services designed to increase client capability such as (but not limited to):
    - Manufacturing - facility lease;
    - Construction – estimating bid preparation, and bonding;
    - Risk Management; and,
    - International Trade Assistance - exporting, importing, letters of credit, bank draft, distributorship, exporting trading companies (*i.e.*, international freight forwarders), and joint ventures.
6. Capture Management is the process of identifying contract opportunities, matching the opportunity to a MBE client, and tracking the probability of a favorable outcome that results in a transaction awarded to the MBE client. The Project will actively participate in the capture management process. The Project will update the MBDA online tool (commonly referred to as the “Pipeline”) on a regular basis. This tool will assist the entire MBDA Network to evaluate specific opportunities with clients.
7. General Consulting Management includes, but not limited to organization and structure, formulating corporate policy, feasibility studies, business planning, and organizational development.

The Project shall not perform or engage in the day-to-day operations of, or make decisions for, its clients. The primary goal of the Project is to facilitate access to contracts, capital and market opportunities that lead to the growth and expansion of MBEs. The level of strategic referral, consulting services and/or facilitating provided to MBEs will vary based on the stage of the MBE in its business life cycle.

### **Program Promotion and Advocacy**

Program promotion and advocacy consist of promoting MBDA program activities and brand within the business community, facilitating the identification of high quality clients, and identifying and developing public and private sector resources and business opportunities for clients.

1. Market Research and Development - Systematically investigate markets (locally, statewide,

nationwide, and globally) to determine what business and capital opportunities exist for MBE development, contract opportunities, and business acquisitions. The Project will make optimum use of and collaborate with MBDA network to ensure that the information is made available to MBEs throughout the country. The Project will leverage resources available at the MBDA Office of Business Development.

2. Program Promotion - The Project will increase minority business development by obtaining support for the program and promoting the utilization of MBEs. The Project will submit client success stories for publishing on [www.MBDA.gov](http://www.MBDA.gov).

MBDA will develop a promotional brochure for distribution and develop a directory of staff and services offered for inclusion on the MBDA Portal. The Project shall provide the necessary information to support marketing and promotion and adhere to the Manual.

3. The Project shall produce client success stories in coordination with MBDA's Office of Public Affairs. These success stories will be submitted to MBDA by Project via email. Additional information will be provided in the Manual.
4. The Project staff shall promote and participate in the National Minority Enterprise Development (MED) Week activities and other events (*see* Appendix F: Training Requirements and Definitions).
5. Develop and Maintain a Network of Strategic Partners - Strategic partnerships are established to assist the Project with: (1) generating successful contract and financial transactions; (2) creating new jobs and/or retain existing jobs; (3) helping MBEs to achieve size, scale and capacity; (4) assisting MBEs to expand in global markets. Strategic partnership must be documented in writing through Memorandum of Understanding (MOU) or similar agreement that records the terms and conditions of the partnership. The agreements must be shared with MBDA for coordination and tracking purposes.

A minimum of ten (10) strategic partnerships must be maintained by the Project. However, **a minimum of (5) letters of commitment are required with the submission of this application.** MBDA must be notified within 15 business days, in writing if the Project is replacing, removing, and/or adding a new partner. Terminated partnerships must be replaced within forty-five (45) days after termination. Before the Project can claim a strategic partnership, it must be reviewed by the Federal Program Officer to determine whether the proposed relationship is likely to assist the Project in serving its client base and is consistent with the overall goals and objectives of the MBDA Business Project program. MBDA has no responsibility or obligations to the Project's strategic partners unless otherwise negotiated between parties.

Examples of Project strategic partners include, but are not limited to:

- a) Large purchasing organizations – public and private sector;
- b) Banks and alternative financial institutions;
- c) State, county or city governments;
- d) Chambers of commerce or trade associations;
- e) U.S. Export Assistance Projects and Procurement Technical Assistance Projects;

- f) Small Business Development Projects;
  - g) Community development corporations;
  - h) Technology-based economic development organizations;
  - i) Other organizations interested in furthering the growth and global competitiveness of MBEs; and
  - j) Minority serving institutions of higher education.
6. **The Project and/or the Project operator will engage in Advocacy efforts** to promote MBEs and/or the MBE community with Federal, state and local governments, as well as private sector entities for the purpose of expanding business opportunities, financings and teaming.

### **Operational and Performance Management**

1. Operational management requires the Project to identify and electronically record on the MBDA CRM Performance System and/or Portal sources of the following:
  - Market Opportunities - public (federal, state and local government) and private (domestic and foreign) sector contracting opportunities;
  - Capital Resources - standard commercial and alternative debt (loans, lines of credit, etc.), equity, and mezzanine financing, bonds (performance and surety), and trade credit opportunities;
  - Business Ownership Opportunities - franchises, licensing arrangements, mergers and buy-outs; and
  - Registration of MBEs - register eligible local MBEs in MBDA's CRM system.
2. Establishment of Office - The physical location of the Project office must be within an applicable city or MSA specified in this FFO. The Project operator must open a physical office and be fully operational within sixty (60) days after receipt of the award. "Fully operational" means that all staff is hired, all required signs are up, all items of furniture and equipment (e.g., computer hardware, software, Internet services, phones, faxes) are in place, and the Project's doors have been fully opened to the public for service. Within sixty (60) days after receipt of the award, the Project operator shall report via Grants Online to the Federal Program Officer that it has complied with this requirement. Failure to be fully operational within sixty (60) days may result in appropriate enforcement action under the award, up to and including termination. If the Project is co-located with the operator, it must have a "separate identity" that must include, but is not limited to, appropriate signage and working offices for Project staff that are visually independent (or are perceived as standing apart) from the operator's non-Project operations and personnel.

The Project must be accessible to disabled persons and strategically situated in the applicable location to ensure that it is: (1) close to available business resources; (2) within a reasonable commuting distance to the minority business community; and (3) professional in appearance and conducive to supporting the Project's brand.

The Project must provide services to eligible clients. Services can be delivered in person or virtually. MBDA calls and emails to the program operator and/or the project director must

be returned by the next business day. In addition, the Project operator and Project director shall provide MBDA and other authorized federal government officials with accessibility to the Project upon request. Within sixty (60) days after receipt of the award, the Project operator shall report via Grants Online to the Federal Program Officer, and to the MBDA Chief Information Officer (CIO) of the Office of Information Technology, Research and Innovation that it has complied with all information technology requirements (*see* Appendix E: Information Technology and Computer Requirements). Within sixty (60) days after receipt of the award, the Project operator shall also report the name, contact telephone number, and email address of the Project director, MBDA Business Project staff member(s), and the network or system administrator.

3. Personnel - Each Project operator is required to have a Project director employed and exclusively dedicated on a full-time basis to the Project, and is removed from any competing interests. The Project director is vital to the MBDA Business Project program and is viewed as the Project operator's key representative to ensure the Project achieves its performance goals. The Project director must possess suitable management and business qualifications, including a minimum of a bachelor's degree or equivalent experience in a business-related field. Failure to hire a Project director within sixty (60) days may result in enforcement action under the award, including the withholding of award payments.

The selection of a Project director requires consultation with the MBDA Federal Program Officer (FPO) during a review of candidate qualifications. The Project operator shall submit to the FPO at the onset of competition and/or after an award is issued, the Project director's resume and a minimum of three professional references. Successful candidates will be submitted to the Grants Officer via the FPO for notification. The Project operator shall employ personnel with the knowledge and skills to develop and manage strategic relationships that enhance the Project's ability to source contracts, counsel minority firms on securing large contract and financial transactions, assist clients in negotiations with purchasing organizations and financing institutions, coordinate and collaborate on client service efforts, actively promote the brand of the Project and advise MBEs on accessing global markets as outlined in Section VI, "Award Administration Information." All consulting personnel should have a minimum of a bachelor's degree or equivalent experience.

The Project personnel working with clients must possess the ability to: (1) promote and demonstrate the value of services offered to the client; (2) generate program income for the Project; (3) track service delivery on a consistent and regular basis; (4) collect quantitative and qualitative performance data; and (5) ensure optimal service delivery, client satisfaction, and operational quality standards are met.

The Project operator shall, to the best of its ability and available resources, provide competitive financial incentives and/or salaries to the Project staff. The Project operator shall adhere to commonly accepted/best practices in human capital management. The Project may not engage in employee nepotism.

All personnel charged to the Project must directly contribute to the operation of the Project. There should be no "co-mingling" of staff time that is being charged to the MBDA grant.

Co-mingling is prohibited and is subject to enforcement action under the award, including the withholding of award payments and possible termination of the Project award. Staff vacancies shall be filled promptly. Vacancies beyond forty-five (45) days may result in appropriate enforcement action under the award, up to and including termination.

4. Service Optimization - The Project operator must maintain the efficiency and effectiveness of its overall operations as well as the quality to maximize client service impact with the MBDA Business Project Program. Under this function, the Project shall:
  - a) Execute signed work plan agreements and engagements with clients;
  - b) Input data, progress, best practices and results into the MBDA CRM Performance system within three (3) business days of the time of service and/or receipt of documentation (note: failure to adhere to may result in MBDA enforcement action);
  - c) Establish procedures for collecting and accounting for all fees charged to clients; accounting records for fees collected should be maintained on a consistent basis; no co-mingling of fees and funds;
  - d) Maintain records/files for all work charged to the program and clients; systems should be efficient and meet industry standards;
  - e) Ensure all files are properly recorded and supported by documentation including, MBDA Notice of Data Use; client MBE self-certification, MBDA data privacy notice, needs assessment, work assignments, finished work products, and awarded transactions;
  - f) Obtain required verification documentation for any of the performance measures claimed (*see*, Appendix C – “Performance Measures and Related Definitions”);
  - g) Comply with all reporting requirements that are established as the terms of the award;
  - h) Cooperate with MBDA in maintaining content for the CRM Performance system, and other available online tools located at [www.mbda.gov](http://www.mbda.gov);
  - i) Comply with the terms of Appendix L regarding the use of the MBDA Trademark prior to using the MBDA Business Project trademark; and
  - j) Adhere to MBDA’s trademark and licensing requirements and branding guidelines for all forms of communication, including use of logo, design or marketing collateral, office and event signage. Formal instructions and guidelines will be provided to the Project operator at the Post-Award Conference.

The term MBDA Business Project staff is a trademark of the Federal Government and the Federal Government reserves exclusive rights in the term. Permission to use the term is granted to the project operator for the sole purpose of representing the activities of the operator in the fulfillment of the terms of the financial assistance award. See Appendix L for more detailed information on the trademark and licensing requirements.

The Project is not authorized to use either the Department of Commerce’s (DOC) official seal or the MBDA logo in any of its electronic and/or printed publications, documents or other materials without prior written approval from the Department of Commerce. Neither the Project operator, Project director, nor any Project staff person is permitted to represent themselves as an employee of the Federal Government.

The Project operator must ensure the Project maintains full operational capacity and services throughout the program year.

## Program Performance Measures and Performance Ratings

1. Performance Measures - The program performance of each Project is evaluated by MBDA based on specific performance elements, which are assigned weighted values. The Project operator will be awarded points with respect to each performance element through defined work activities that lead to successful client outcomes. Specifically, performance points will be awarded by MBDA in proportion to the Project operator's satisfaction of the performance goals set forth in the application and incorporated into the terms and conditions of the award.
2. Performance Ratings - The Project operator is expected to achieve an overall "Commendable" (or better) performance rating for each funding period, and will be assigned a performance rating by MBDA for each of the funding periods based on the rating system below:

MBDA Business Project Performance Scale	
Performance Ratings	Overall Points Required
Outstanding	100.0* & above
Commendable	90.0 – 99.9
Good	80.0 – 89.9
Satisfactory	75.0 – 79.9
Unsatisfactory	74.9 & below

\*Not to exceed 160 Points

Failure to maintain at least a "Satisfactory" performance rating may result in designation of the Project award recipient as high risk and/or placed on a Performance Improvement Plan (PIP), assignment of special award conditions, and other further action under the award, up to and including award termination.

3. Performance Goals

Minimum performance requirements for the Project location and funding period (*see* Appendix B: Performance Goals). Applicants must propose performance goals by category for the each of the five funding periods.

Proposing higher than estimated goals without a corresponding methodology for accomplishment or without a corresponding justification may demonstrate a lack of knowledge of the market place and may adversely impact MBDA's evaluation of the application. Accordingly, applicants should carefully consider the feasibility of the performance goals proposed in the application. In addition, MBDA may negotiate proposed performance goals with the high ranking applicant winner of an award competition prior to offering an award.

## **APPENDIX K**

### **Business Project Trademark and Licensing Requirements**

The phrase “MBDA Business Project” is a trademark of the Minority Business Development Agency (MBDA), U.S. Department of Commerce. MBDA reserves exclusive rights in the use of the phrase “MBDA Business Project,” and all associated marks and representations (**hereafter “MBDA trademarks”**). The Cooperative Agreement from MBDA includes the terms of this Appendix covering the trademark and licensing requirements for use of the MBDA trademarks. By signing the Cooperative Agreement, the operator of the MBDA Business Project agrees to the terms and conditions related to the use of the MBDA trademarks as stated in this Appendix.

This appendix covers only the MBDA trademarks and does not authorize an MBDA Business Project to use the Department of Commerce seal or the MBDA Headquarters logo on any electronic or printed communications for any purpose.

***Grant of License:*** Pursuant to the acceptance of the terms of the Cooperative Agreement, MBDA (hereafter “Licensor”) grants to the operators of each MBDA Business Project (hereafter “Licensee/Project”) a non-exclusive, royalty-free right to use the MBDA trademarks for the following purposes:

1. Business materials and products – business cards, letterhead, folders, programs, bulletins, and newsletters.
2. Event and workshop signage – flyers, publications, and signs announcing events sponsored or organized by or on behalf of the Licensee/Project. Licensee/Project must be an active participant in the event.
3. Electronic communications – email signature blocks, webpages, announcements, and signs regarding events sponsored or organized by or on behalf of the Licensee/Project.
4. Project signs and markers – signs and print information to indicate or describe the location of the Licensee/Project or an event sponsored or organized by the Licensee/Project.

The MBDA trademarks may be used to advertise the Licensee/Project’s participation on a per event basis in collaboration with a third party.

***Assignment and Sub-licenses:*** This license is not assignable. Notwithstanding this provision, the Licensee/Project may hire subcontractors to perform manufacturing and distribution activities, only in connection with items (1) – (4) above, under this License. Any attempt by the Licensee/Project to assign any portion of this License or to grant an improper sub-license to a third party shall be deemed a breach of this License and may constitute cause for termination of the Cooperative Agreement.

***Quality Control:*** Licensor has the right to inspect the Licensee/Project’s goods, services, and promotional activities employing the MBDA trademarks to ensure that such uses are of proper quality and otherwise consistent with the terms of the Cooperative Agreement and this License.



Licensor may terminate this License should Licensor determine that the MBDA trademarks have been used in a manner that is inconsistent with the terms of the Cooperative Agreement or this License.

***Duration and Termination:*** This License is effective upon the execution of the Cooperative Agreement and shall terminate on the close out date of the Cooperative Agreement. Upon termination of this License to use the MBDA trademarks, all rights of the Licensee/Project to use the MBDA trademarks shall immediately terminate. In the event of a breach of any of the terms and conditions of this License by the Licensee/Project, the Licensor shall give Licensee written notice of such breach. In the event Licensee/Project does not cure such breach within thirty (30) days, Licensor may immediately terminate this License and shall notify the Licensee/Project in writing of such termination.

***Validity and Ownership of Mark:*** Licensee/Project is prohibited from interfering with Licensor's rights in the MBDA trademarks, including challenging Licensor's use, registration of, or application to register the licensed MBDA trademarks, alone or in combination with other words or designs, anywhere in the world. The Licensee/Project is further prohibited from attempting to register the licensed MBDA trademarks, or any confusingly similar mark, whether or not registered by MBDA, alone or in combination with other words or designs, as a U.S. or foreign trademark, and from asserting any intellectual property rights in the MBDA trademarks through Licensee/Project's use. Any rights asserted by the Licensee/Project in the MBDA trademarks shall vest in the U.S. Department of Commerce, and any goodwill from use of MBDA trademarks by Licensee/Project shall inure to the benefit of the U.S. Department of Commerce.

***Use of Mark:*** In addition to the above provisions of this License, the Licensee/Project shall abide by the following guidelines:

1. The Licensor considers the licensed MBDA trademarks to be its trademarks and service marks and holds them out to the public as such.
2. The Licensee/Project in using the licensed MBDA trademarks that are or hereafter become federally registered shall clearly indicate that the marks are federally registered with the U.S. Patent & Trademark Office and that they are the property of the U.S. Department of Commerce. Such indication of registration shall be in the form of the "®" ("R in a circle") designation. The Licensee/Project in using the licensed MBDA trademarks that are not federally registered shall clearly indicate that the marks are the property of the U.S. Department of Commerce. Such indication shall be in the form of the "™" or "SM" designation.

***Indemnification:*** By signing the Cooperative agreement, the Licensee/Project agrees to indemnify and hold harmless the Licensor, any of its employees, agents, and contractors, against any and all claims, damages (including attorneys' fees) asserted by or paid to any party on account of a breach or alleged breach of the above warranties regarding the use of the MBDA trademarks.